

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In Re TERRORIST ATTACKS on
SEPTEMBER 11, 2001

03 MDL 1570 (RCC)
ECF Case

This document relates to:

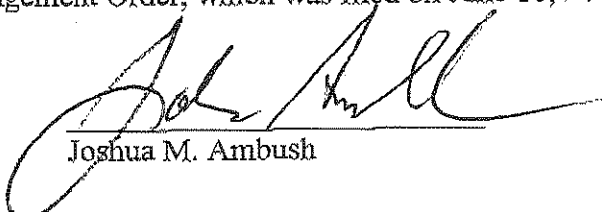
Estate of John P. O'Neill, Sr., et al. v. The Republic of Iraq, et al., 04-CV-1076
(RCC)

DECLARATION OF JOSHUA M. AMBUSH

JOSHUA M. AMBUSH, on this 17th day of November, 2005, hereby declares pursuant to 28 United States Code Sec. 1746, and under penalties of perjury, that the foregoing is true and correct:

1. I am an attorney at law, licensed to practice to in the State of Maryland and admitted *pro hac vice* in the instant matter.
2. I am, along with Jerry S. Goldman, Esquire and others, attorney of record in the instant matter.
3. During the summer of 2003, I drafted the original complaint in the above-referenced matter.
4. I caused to be filed, before the United States District Court of the District of Columbia, the complaint in the instant matter, on or about August 20, 2003.
5. When I drafted such complaint, I included as a defendant, Dr. Taha Al-Alwani.

6. My intention, when I drafted such complaint, was to include the individual, who I then believed was living in northern Virginia, and who I understood was born in Iraq.
7. I had no knowledge, at that time, nor do I today, of any other individual who by the name of Taha Al-Alwani, who had connection with the 9/11 conspiracy.
8. I had no knowledge, at that time, nor do I today, of an individual by the name Taha Al-Alwani who was from Fallujah, Iraq.
9. The person who was served in the instant case by a process server in Virginia was the person who I intended to sue in the case.
10. It is my understanding that, by way of an order signed on or about December 9, 2003 the MDL panel ordered the transfer of the instant case from the District of Columbia to the Southern District of New York, which is listed on the docket on December 10, and entered in January 8, 2004.
11. It is my further understanding, that the docket reflects that the case was finally transferred into the Southern District of New York on March 11, 2004.
12. It is my further understanding, that at the time that the case was transferred in, all matters were stayed in the case, pending the discussions relative to and the entry of a Case Management Order, which was filed on June 16, 2004.


Joshua M. Ambush